



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	CONSENT PRELIMINARY ORDER
	:	OF FORFEITURE/
- v. -	:	<u>MONEY JUDGMENT</u>
ZORAIDA GONZALEZ,	:	
	:	S2 20 Cr. 199 (KMW)
Defendant.	:	
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WHEREAS, on or about July 14, 2022, ZORAIDA GONZALEZ (the “Defendant”), was charged in an eight-count Superseding Information, S2 20 Cr. 199 (KMW) (the “Information”), with submitting false claims, in violation of Title 18, United States Code, Sections 287 and 2 (Count One); theft of government funds, in violation of Title 18, United States Code, Sections 641 and 2 (Count Two); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Three); health care fraud, in violation of Title 18, United States Code, Sections 1347 and 2 (Count Four); conspiracy to commit wire fraud and health care fraud, in violation of Title 18, United States Code, Section 1349 (Count Five); aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A(a)(1) and (b) and 2 (Count Six); violation of anti-kickback statute, in violation of Title 42, United States Code, Sections 1320a-7b(b)(2) and Title 18, United States Code, Section 2 (Count Seven); and tax fraud conspiracy, in violation of Title 18, United States Code, Section 371 (Count Eight);

WHEREAS, the Information included forfeiture allegations as to Counts Two and Three of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of a sum of money representing proceeds traceable to the commission of the offenses charged in Counts Two and Three of the Information;

WHEREAS, the Information also included forfeiture allegations as to Counts Four, Five, and Seven of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(7), of a sum of money representing proceeds traceable to the commission of the offenses charged in Counts Four, Five, and Seven of the Information;

WHEREAS, on or about July 14, 2022, the Defendant pled guilty to Counts One through Eight of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegations (i) with respect to Counts Two and Three of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), a sum of money representing proceeds traceable to the commission of the offenses charged in Counts Two and Three of the Information; and (ii) with respect to Counts Four, Five, and Seven of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(7), a sum of money representing proceeds traceable to the commission of the offenses charged in Counts Four, Five, and Seven of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$599,585.80 in United States currency, representing the amount of proceeds traceable to the offenses charged in Counts Two, Three, Four, Five, and Seven of the Information that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts Two, Three, Four, Five, and Seven of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Brandon D. Harper, of counsel, and the Defendant, and her counsel, Kristen Santillo, Esq., that:

1. As a result of the offenses charged in Counts Two, Three, Four, Five, and Seven of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$599,585.80 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts Two, Three, Four, Five, and Seven of the Information that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, ZORAIDA GONZALEZ, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to United States Customs and Border Protection, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. Upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, and pursuant to Title 21, United States Code, Section 853, United States Customs and Border Protection, or its designee the Office of Fines, Penalties, and Forfeiture shall be authorized

to deposit the payment on the Money Judgment into the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: Brandon D. Harper
BRANDON D. HARPER
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2465/2209

12/6/23
DATE

ZORAIDA GONZALEZ

By: Zoraida Gonzalez
ZORAIDA GONZALEZ

12/6/23
DATE

By: Kristen Santillo
KRISTEN SANTILLO, ESQ.
Attorney for Defendant
347 West 36th Street, Suite 805
New York, NY 10018

12/6/23
DATE

SO ORDERED:

Kimba M. Wood
HONORABLE KIMBA M. WOOD
UNITED STATES DISTRICT JUDGE

12/6/23
DATE